

II. REMARKS

In the office action, claims 1-3, 5-11, 14-40, 43-55, 61-62, 67, and 69-73 have been rejected pursuant to 35 USC Sec. 102(b) as being anticipated by Watterson et al. Watterson et al was patented and published too late for a valid 102(b) rejection which is clear from the patent date on the face of Watterson. Applicant informed the PTO of this point and requested correction, but the PTO declined to correct the error and knowingly would have had Applicant appeal based on a clearly wrong statute.

In the rejection, the Examiner has relied on Watterson's use of a stored trainer. As was also pointed out, the stored trainer was not mentioned in the patent from which Watterson claims priority, and as such, the stored trainer is not prior art.

Further, no security is shown with respect to access by the trainer. See Watterson e.g., Fig. 7, computer 170. The examiner contends in the Office Action at page 2 that "The examiner believes that once a user is logged on, the machine-readable instructions are private and maintained as long as the user is logged on." This is explicitly contradicted by Watterson at the bottom of Col. 16.


Applicant has amended claims but not claim 1 as it is believed that the rejection was handled improperly. Reconsideration of the application and claims is respectfully requested.

APPLICANT CLAIMS SMALL ENTITY STATUS. The Commissioner is hereby authorized to charge any fees associated with the above-identified patent application or credit any overcharges to Deposit Account No. 50-0235. Please direct all correspondence to the undersigned at the address given below.

If the prosecution of this case can be advanced in any way by a telephone discussion, the Examiner is requested to call the undersigned at (312) 240-0824.

Respectfully submitted,

Date: March 12, 2007


Peter K. Trzyna
(Reg. No. 32,601)

P.O. Box 7131
Chicago, Illinois 60680-7131
(312) 240-0824